

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA

-v-

**PETITION REGARDING OWNERSHIP  
INTEREST IN FORFEITED PROPERTY**

CASE NO. 7:18-cr-00043-CS

MICHAEL SCRONIC,

Defendant.

---

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-GEL2, by and through its counsel, Sandelands Eyet LLP, petitions the court for an ancillary hearing pursuant to 21 U.S. Code § 853(n) and asserts its interest as an innocent third party with respect to property which has been forfeited to the United States in this case, as follows:

1. U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-GEL2 ("Petitioner") asserts its interest in the following property ordered forfeited to the United States in this Court's Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment (the "Preliminary Order"), dated March 15, 2018, as to the premises identified as Unit 1D, Stratton Springs Condominium, Stratton Springs Road, Stratton, Vermont (the "Property").

2. On or about August 12, 2003, MICHAEL SCRONIC executed and delivered to ABN AMRO Mortgage Group, Inc., a Delaware Corporation, an Adjustable Rate Note in the principal amount of \$360,000.00 (the "Note").

3. The sums owed under the Note are secured by a mortgage on the Property made by MICHAEL SCRONIC, dated August 12, 2003, and recorded in the Stratton Town Clerk's Office on August 18, 2003 in Book 103, Page 7 of Stratton Land Records (the "Mortgage"). A copy of the Mortgage is annexed hereto as **Exhibit A**.

4. The Mortgage was subsequently assigned to Mortgage Electronic Registration Systems, Inc. ("MERS") by Assignment of Mortgage dated October 13, 2003, and recorded in the Stratton Town Clerk's Office on January 4, 2006 in Book 123, Page 93 of Stratton Land Records. A copy of the Assignment is annexed hereto as **Exhibit B**.

5. The Mortgage was subsequently assigned to Petitioner on or about August 6, 2018. A copy of the Corporate Assignment of Mortgage is annexed hereto as **Exhibit C**.

6. As of April 1, 2018, the principal amount due and owing under the Note is \$231,378.92. Interest is owed on the principal sum from April 1, 2018.

7. Pursuant to 21 U.S. Code § 853(n)(6), Petitioner has a vested, secured and superior mortgage lien interest in the Property and/or is a bona fide purchaser for value of right, title or interest in the Property.

8. Petitioner seeks relief from this Court's Preliminary Order, and hereby requests that this Court hold a hearing ancillary to the criminal conviction of MICHAEL SCRONIC, at which Petitioner or its agents may testify and present evidence and witnesses on its own behalf pursuant to 21 U.S. Code § 853(n)(5). Further, Petitioner respectfully requests that this Court amend its Preliminary Order to recognize the interest of Petitioner U.S. BANK NATIONAL

ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION  
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-GEL2, as it is set forth herein.

A copy of this Court's Preliminary Order is annexed hereto as **Exhibit D**.

Dated September 14, 2018

Respectfully submitted,

/s/ Caroline W. Lenci

Caroline W. Lenci, Esq.

SANDELANDS EYET LLP

*Attorneys for Petitioner U.S. Bank National Association, as  
Trustee For Structured Asset Securities Corporation  
Mortgage Pass-Through Certificates, Series 2005-Gel2*

1545 U.S. Highway 206, Suite 304

Bedminster, New Jersey 07921

(908) 470-1200

clenci@se-llp.com